

Attachment A - Proposed Discovery Plan Under Rule 26(f)

PLEASE INSERT A DATE CERTAIN FOR ALL REQUESTED ENTRIES

I. Rule 26(a) Disclosures

Counsel anticipate completing the self-executing disclosures on November 15, 2004, as required by Rule 26(a).

II. Discovery Subjects and Timetable for Discovery

(A) Counsel agree that the subjects for discovery include:

- (i) jurisdiction
- (ii) liability
- (iii) damages
- (iv) custody clarification

(B) Counsel also agree upon the following discovery timetable:

- (a) Close of all discovery defendants propose **October 1, 2005**, plaintiffs propose **June 1, 2005**.
- (b) Close of fact discovery defendants propose **September 1, 2005**, plaintiffs propose **May 1, 2005**.
- (c) Expert reports due defendants propose **September 1, 2005**, plaintiffs propose **May 1, 2005**; Rebuttal reports due defendants propose **September 15, 2005** plaintiffs propose May 15, 2005; depositions of all experts to be completed by: defendants propose **October 1, 2005**, plaintiffs propose **June 1, 2005**.
- (d) Dispositive motions due: defendants propose **October 15, 2005**, plaintiffs propose **June 15, 2005**.
- (e) Exchange of exhibits due: defendants propose **November 1, 2005** plaintiffs propose **July 1, 2005**.
- (f) Plaintiff's pre-trial memorandum due: defendants propose **November 1, 2005**, plaintiffs propose **July 1, 2005**.
- (g) Defendant's pre-trial memorandum due: defendants propose **November 1, 2005**, plaintiffs propose **July 1, 2005**.
- (h) All motions *in limine* due: defendants propose **November 1, 2005**, plaintiffs propose **July 1, 2005**.

- (i) All responses to motions *in limine* due: defendants propose **November 15, 2005**, plaintiffs propose **July 15, 2005**.
- (j) A Daubert or Markman hearing shall be held: defendants propose **December 1, 2005** plaintiffs propose **August 1, 2005**.
- (k) Final pre-trial conference to be held: defendants propose **December 15, 2005**, plaintiffs propose **August 15, 2005**.

III. Changes in Limitations on Discovery

Counsel agree that discovery should be conducted in accordance with the parameters set forth in the Federal Rules of Civil Procedure, subject to modification by agreement of the parties or by Court order, as necessary under the circumstances.

IV. Alternative Dispute Resolution

- (A) type of ADR, settlement conference etc.
- (B) timing of ADR
- (C) unless otherwise recommended, a settlement conference will be scheduled upon the close of all discovery.

V. Other Issues

None.

Signed,

Counsel for Plaintiff

Counsel for Defendant

Counsel for Defendant